

TOWN OF SALEM  
PLANNING AND ZONING COMMISSION  
Tuesday, July 28, 2009  
MEETING

*Corrected* MINUTES

*Per 8-18-09 PZC Meeting* (deleted text appears as ~~striketrough~~, additions appear as ***bold italics***)

PRESENT:           Hugh E. McKenney, Chairman  
                  Gloria Fogarty, Vice-Chairman  
                  Frank Abetti  
                  Richard Dalkowski  
                  Art Winakor  
                  David Bingham  
                  Ruth Savalle (arrived 7:05PM)

ALSO PRESENT:   Mary Ann Chinatti, Town Planner/ZEO/WEO

**CALL TO ORDER:**

Chairman McKenney called the meeting to order at 7:00. He then introduced members of the Commission to the public.

**PUBLIC HEARING:**       Chairman McKenney indicated there were no public hearings scheduled.

**PUBLIC COMMENTS:**       None.

**PETITIONERS:**

- 1) Recreation Commission – guidance – site plan for Round Hill Road Recreation Trail

Sue Spang, representing the Commission, indicated she would be addressing two topics. She stated the Commission would like to install a concrete pad at the concession stand for the purpose of adding picnic tables, a press box, with storage beneath. The concession stand pad would be a safe place to eat.

She continued, stating funding is in place for the concession stand pad, and that citizens will be donating \$3,000 for the press box materials.

She stated that she was able to find a 2002 site plan for the Babe Ruth field, noting that the concession stand and the backstop are shown on that plan. She indicated that was the only plan she was able to find that called out those two areas. She noted that the subject area was developed many years ago, and that she was unable to find a record plan on file.

Chairman McKenney recapped by saying the plan Ms. Spang presented at this meeting has the existing concession stand, which is proposed to be modified, and the other area down to the left of the existing pressbox/softball field – it needs to come down – proposed to be replaced with an approximately 8' x 6' pressbox with a storage area, and what is being asked of this Commission is how to move forward with the project.

Ms. Spang agreed, and stated that when she was before the Commission with the parking lot at the Music Vale Rd. site, she had requested a number of waivers. She stated she thought the Commission was a little uncomfortable with that many waivers, and she did not want to put members in that position again. She stated the current proposal would need eight (8) waivers, and that the 2002 plan would be marked up to show what is being proposed. That drawing would be the official drawing, going forward.

She continued, stating that she understands if a mark-up is totally unacceptable. She stated she doesn't know why there is no plan in the town hall for that area, and that she received an estimate for professional preparation of the plan she is proposing, which was approximately \$2,500. She stated the Recreation Commission budget does not have the funds for that expenditure; she also noted that submission of the plan as she proposes would save the Town \$3,000 in engineering costs.

Ms. Chinatti indicated she would have suggested requesting waivers to any applicant proposing something as minor as what Ms. Spang has proposed.

Ms. Spang stated that work associated with the plan would be done by volunteers. She stated the Building Inspector will approve the building plans, and she stated wants everything to be done correctly, not by circumventing the regulations.

Chairman McKenney indicated that many applicants have come before the Commission requesting to do minor improvement to a lot, asking the Commission for guidance to avoid having to pay \$5,000 for engineering plans. He then polled members for their opinions.

Ms. Spang indicated that basic plans have been submitted to the building department, and those plans need to meet the 110mph wind load. She indicated she'd applied for a waiver of that requirement, per advice of the Building Official, but that request was denied. She indicated she is able to apply again, this time being more specific with the request.

She indicated that the concrete pad would be approximately 10' x 10', and located by the parking lot. She indicated the pad and fence will protect the children.

Mr. Bourdeau stated that the rec facilities in Montville do not go before the Planning and Zoning Commission, that the Rec Commission has jurisdiction and there is no need to go to planning and zoning. He stated his thought that, as long as tax dollars are involved, it doesn't make financial sense to spend money on engineering for things like what Ms. Spang is proposing.

Chairman McKenney stated that the regulations need to be met, whether the Town or anyone else is proposing/building. He stated that is the reason the waiver provision was included in the regulations, for relatively minor things. He stated that what was proposed previously (the parking lot at Music Vale) had engineering involved with the project, but that waivers were ultimately approved.

Ms. Chinatti indicated that drawings would be submitted with the application for the work proposed by Ms. Spang, though they would not be engineered drawings.

It was the consensus of the Commission that engineered drawings were not required, Chairman McKenney stating that the Commission is comfortable because not a lot of engineering is required for what is proposed. He also suggested that, should the 2002 plan be that which is edited for the current proposal, Ms. Spang consider "cleaning it up" a bit, correcting inaccuracies and blocking out what would not be applicable.

Ms. Spang, moving on to her next topic, stated that if the Commission had time, there is a 10-year plan for the Forsyth Road area.

~~(Interruption)~~ **Point of Order:** Consensus of the Commission to seat Mr. Winakor for the absent Ms. Buckley.

Ms. Spang continued, stating that the Forsyth Road came in about five (5) years ago, and that the field and the parking are completed. She stated that about six weeks ago discussion came up regarding a storage building, noting that there currently is no storage at the site. She stated she'd suggested a 10-year plan, to eliminate the need to re-apply to this Commission each time something new was proposed. She stated that the plan includes construction of another parking lot on the back side of the developed area, a pavilion, and possibly volley ball courts.

Chairman McKenney reminded Ms. Spang that the parcel is open property and that anything could be proposed/constructed on the parcel. He continued, stating that if that area of the site is developed as Ms. Spang has discussed, the structure of the land would be dramatically changed.

He **Ms. Spang** further stated that a ~~Seeleemen's~~ **Selectmen's** committee called out specific uses for specific areas of the parcel.

Chairman McKenney instructed Ms. Chinatti to research the uses designated for each area.

He continued, stating that Ms. Spang may want to be careful putting large amounts of money into that property.

Ms. Spang stated it was her understanding the subject portion of the property was for recreation. She indicated that the “what if” philosophy accomplishes nothing. She stated the 10-year plan includes putting a Carefree-type building on the property and possibly gravel parking in the back.

Chairman McKenney stated he does not know the process for designation of the subject area for recreation going forward.

Commission discussion ensued regarding Chairman McKenney’s process statement.

Chairman McKenney stated the property was purchased with the caveat that the property is for future development of municipal uses and not specifically for recreation. He continued, stating that, regarding the soccer fields, his memory was that the Commission approved but that it should not be assumed they would be there in perpetuity. He stated the Municipal Land Use Plan (MLUP) needs to be modified to include the subject property if the Board of Selectmen specifically designated that area for recreation, which he is not sure of.

Ms. Spang reminded the Commission that the Rec Commission was approached prior to the Town’s purchase of the property to get out the vote. She continued, stating that the Selectmen’s committee designated certain areas of the property for recreation in, she believes, around the 2004 time period.

She continued, stating that right now minimal dollars would need to be expended for the temporary structure and for the parking lot. She then asked the Commission if she could go ahead with the field.

Chairman McKenney reminded the Commission that no application is before it and no action must be taken, that the discussion is simply to make the Commission aware that an application will be brought forward at some point in time.

Ms. Spang stated she just wanted to interject the proposal and touch base prior to submission of and subsequent formal application presentation on the 18<sup>th</sup> of August. She stated waivers would not be requested for the proposal, as it is a big project, but she just wanted to present the conceptual at this time.

Dr. Bingham questioned whether proposals such as Ms. Spang's should be included in the POC&D, noting that there are funding avenues, but that something must be included in the POC&D to be eligible.

Chairman McKenney noted that it would be appropriate for things like Ms. Spang's proposal to be included in the MLUP, that the MLUP needs to be updated, and that responsibility for that update lies with this Commission and the Board of Selectmen.

Ms. Spang concluded by saying that there are existing trails on the subject property to connect the fields on Forsyth Road to those located on the Route 82 portion of the parcel, and that the fields on the Route 82 portion would eventually be abandoned.

**PUBLIC COMMENTS:** None.

## **OLD BUSINESS:**

### 1) Town Center Committee Design Guidelines

Ms. Chinatti updated the Commission, stating that the draft guidelines are still not available, though they were expected by July 23. She indicated she'd contacted Mr. Traylor, chairman of the Town Center Committee, requesting that he advise Mr. Fontneau to have the document submitted to Ms. Chinatti by August 10. She has not yet heard back from Mr. Traylor.

Lengthy discussion ensued regarding the proposed Town Center regulations/zone, the guidelines, and recent Board of Selectmen discussion regarding the draft regulations.

Ms. Chinatti was instructed to:

- Again send PZC members the Board of Selectmen comments, and the draft regulations;
- Draft a letter to the Board of Selectmen and Town Center Committee indicating the PZC would like to meet with them at its August 25, 2009 meeting, to discuss their concerns on the Town Center draft regulations, and that the PZC would like to meet in a public meeting to air and try to resolve some of their concerns.

### 2) POC&D

Mr. Abetti provided an update, and distributed updated documents to members. He stated that Sally Snyder has replaced T.J. Butcher on the committee, and that Ms. Snyder is a very able replacement.

He then discussed the hand-outs, and stated the committee wants to make sure it is covering everything that must be covered, as required by state statute, and that all of the six state growth principles are addressed as well. He continued, stating that the POCD Committee has been coordinating with the Vision Committee.

He stated that the Committee meets weekly, and hopes to have a survey deliverable and distributed in October.

Ms. Chinatti was instructed to notify Ms. McTigue so she can update the Board of Selectmen that the POCD Committee is making progress on developing the survey questions, and they expect to get it out in October.

**NEW BUSINESS:** None.

**ENFORCEMENT OFFICER'S REPORT/INLAND WETLANDS AND CONSERVATION COMMISSION REPORT:** N/A.

**APPROVAL OF MINUTES OF PREVIOUS MEETING(S):** N/A.

**EXECUTIVE SESSION (IF NEEDED):**

**(M/S/C McKenney/Fogarty)** to go into Executive Session at 8:30PM. Dr. Bingham noted that he would be recusing himself for Executive Session Item #2 – Kobyluck. Motion carried unanimously.

**(M/S/C Abetti/Fogarty)** to come out of Executive Session at 9:30PM. Motion carried unanimously.

**PLUS/DELTAS:** None.

**CORRESPONDENCE:** None.

**ADJOURNMENT:**

**(M/S/C McKenney/Fogarty)** to adjourn at 9:31PM. Motion carried unanimously.

Respectfully submitted,

Mary Ann Chinatti, Town Planner/ZEO/WEO